

JAN 20 2023

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 286, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§286- Electric rickshaws. (a) Every electric
5 rickshaw, as described in paragraph (3) of the definition of
6 "motorcycle" in section 286-2, operated in the State shall first
7 be registered as a motor vehicle as provided in section 286-41.

8 (b) No person shall operate an electric rickshaw on a
9 public street, road, or highway in the State unless the person
10 possesses a valid type 3 driver's license pursuant to section
11 286-102(b)(3) and the electric rickshaw has been duly registered
12 pursuant to subsection (a).

13 (c) Occupants in an electric rickshaw not equipped with a
14 front windshield shall use eye protection.

15 (d) All occupants in an electric rickshaw shall comply
16 with the seat belt requirements under section 291-11.6."



1 SECTION 2. Section 286-2, Hawaii Revised Statutes, is
2 amended by amending the definition of "motorcycle" to read as
3 follows:

4 "Motorcycle" means:

- 5 (1) Every motor vehicle that has a handlebar and seating
6 that requires the operator to straddle or sit astride
7 on it and is designed to travel on no more than three
8 wheels in contact with the ground, but excludes a farm
9 tractor and a moped; [~~or~~]
- 10 (2) Every motor vehicle that has a steering wheel or
11 handlebar and seating that does not require the
12 operator to straddle or sit astride on it, is designed
13 to travel on three wheels in contact with the ground,
14 and is called an auticycle, which is certified by the
15 manufacturer to comply with all applicable Federal
16 Motor Vehicle Safety Standards as of the date of
17 manufacture[-]; or
- 18 (3) Every motor vehicle that has a handlebar as its
19 steering mechanism and seating that does not require
20 the operator to straddle or sit astride on it, is
21 designed to travel on three wheels in contact with the



1 ground, exclusively uses a motor operated by
2 electricity, is a zero-emission vehicle, called an
3 electric rickshaw that is certified by the
4 manufacturer to comply with all applicable Federal
5 Motor Vehicle Safety Standards as of the date of
6 manufacture, has a maximum speed of fifty-five miles
7 per hour, has an overall gross weight of 3,000 pounds
8 or less, and is equipped with seating for one driver
9 and six passengers."

10 SECTION 3. Section 286-102, Hawaii Revised Statutes, is
11 amended by amending subsection (b) to read as follows:

12 "(b) A person operating the following category or
13 combination of categories of motor vehicles shall be examined as
14 provided in section 286-108 and duly licensed by the examiner of
15 drivers:

- 16 (1) Mopeds;
- 17 (2) Motorcycles, except for autocycles as described in
18 paragraph (2) of the definition of "motorcycle" in
19 section 286-2, electric rickshaws as described in
20 paragraph (3) of the definition of "motorcycle" in
21 section 286-2, and motor scooters;



1 (3) Passenger cars of any gross vehicle weight rating,
 2 buses designed to transport fifteen or fewer
 3 occupants, trucks and vans having a gross vehicle
 4 weight rating of eighteen thousand pounds or less,
 5 [~~and~~] autocycles as described in paragraph (2) of the
 6 definition of "motorcycle" in section 286-2[7], and
 7 electric rickshaws as described in paragraph (3) of
 8 the definition of "motorcycle" in section 286-2; and

9 (4) All of the motor vehicles in category (3) and any
 10 vehicle that is not a commercial motor vehicle.

11 A school bus or van operator shall be properly licensed to
 12 operate the category of vehicles that the operator operates as a
 13 school bus or van and shall comply with the standards of the
 14 department of transportation as provided by rules adopted
 15 pursuant to section 286-181."

16 SECTION 4. Section 291C-152, Hawaii Revised Statutes, is
 17 amended by amending subsections (a) through (c) to read as
 18 follows:

19 "(a) A person operating a motorcycle, except for an
 20 electric rickshaw, shall ride only upon the permanent and
 21 regular seat attached thereto, and such operator shall not carry



1 any other person nor shall any other person ride on a motorcycle
2 unless the motorcycle is designed to carry more than one person,
3 in which event a passenger may ride upon the permanent and
4 regular seat if designed for two persons, or upon another seat
5 firmly attached to the motorcycle at the rear or side of the
6 operator. A person operating an electric rickshaw shall ride
7 only upon the permanent and regular seat attached thereto, and
8 the operator shall not carry any other person nor shall any
9 other person ride on an electric rickshaw unless the passenger
10 rides upon a seat firmly attached to the electric rickshaw at
11 the rear of the operator.

12 (b) A person shall ride upon a motorcycle, except for an
13 autocytle[7] or electric rickshaw, only while sitting astride
14 the seat, facing forward, with one leg on each side of the
15 motorcycle. A person shall ride upon an autocytle only while
16 sitting in the seat and facing forward. A person shall ride
17 upon an electric rickshaw only while sitting in a seat and
18 facing forward or backward.

19 (c) No person shall operate a motorcycle or electric
20 rickshaw while carrying any package, bundle, or other article



1 which prevents the person from keeping both hands on the
2 handlebars or, for an autocyple, on the steering wheel."

3 SECTION 5. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect on July 1, 2023.

6

INTRODUCED BY: 



S.B. NO. 385

Report Title:

Electric Rickshaw; Transportation; Registration; Operation

Description:

Establishes registration requirements and driver's licensing requirements for operation of electric rickshaws. Defines electric rickshaw.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

